

REMARKS

After entry of the foregoing amendment, claims 1-26 are pending in the application.

Claims 16-20 stand rejected as anticipated by Rhoads 5,841,886.

Rhoads does not teach “*by reference to said steganographically encoded data, generating text to be printed with said photo.*”

The Action cites two excerpts for this alleged teaching: col. 3, lines 1-7, and col. 7, lines 4-67.

The former excerpt reads:

*receives the digital image 940, and after processing it (as will be described surrounding FIG. 3) produces a final rendered image which is then printed out onto the personal cash card 950. Also depicted in FIG. 1 is a straightforward identification marking, in this case a bar code 952, and optional position fiducials which may assist in simplifying the scanning tolerances on the Reader 958 depicted in FIG. 2.*

As will be recognized, this excerpt does not teach “*by reference to said steganographically encoded data, generating text to be printed with said photo.*”

The latter excerpt – although spanning 64 lines, likewise does not teach such claim limitation.

Because Rhoads does not teach that for which it has been cited, other points that might be made concerning claim 16, and claims 17-20 dependent thereon, are not belabored.

Claims 1-15 stand rejected under § 103 over Rhoads ‘886, alone.

Again, Rhoads ‘886 does not teach that for which it has been cited.

In connection with independent claim 1, for example, the Examiner contends that Rhoads teaches “*soliciting an image depicting the user stored in an archive maintained by [a] governmental agency.*”

Rhoads does not so teach.

The Examiner cites col. 3, lines 19-22 of the ‘886 patent for this teaching. That passage reads:

*In any event, the unique information within the image on the personal cash card 950 is stored along with the basic account information in a central accounting network, 980, FIG. 5.*

As can be seen, this excerpt does not teach “soliciting an image depicting the user stored in an archive maintained by [a] governmental agency.”

The rejection of independent claim 11 is likewise deficient. For example, Rhoads does not teach the limitation “at a governmental agency, receiving an electronic request for an archived personal image from an individual depicted in said image.”

Again, the Examiner cites a passage for Rhoads that fails to teach that for which it is cited. In particular, the Examiner has cited col. 2, line 64 – col. 3, line 4 for the quoted claim limitation. That excerpt reads:

*Fig. 1 illustrates the basic unforgeable plastic card which is quite unique to each and every user. A digital image 940 is taken of the user of the card. A computer, which is hooked into the central accounting network, 980, depicted in figure 26, receives the digital image 940, and after processing it (as will be described surrounding figure 24) produces a final rendered image which is then printed out onto the personal cash card 950.*

Again, this excerpt does not teach the claim limitation for which it has been cited.

The foregoing are just two examples showing the inadequacy of the rejections based on Rhoads. Other points could be made concerning the art, and the rejected claims, but are not belabored here in view of the Examiner’s failure to establish a *prima facie* case for either of the independent claims.

Claims 21-26 are added to more fully protect applicants’ inventive work, and are supported, e.g., by the disclosure spanning page 13, line 21 through page 15, line 10, of the specification.

Favorable reconsideration and passage to issuance are solicited.

Date: November 1, 2004

**CUSTOMER NUMBER 23735**

Phone: 503-469-4800  
FAX 503-469-4777

Respectfully submitted,

DIGIMARC CORPORATION

By

  
William Y. Conwell  
Registration No. 31,943